

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

CARLOS A. HOWELL

) CRIMINAL NO. 04-10260-RCL  
)  
) VIOLATION:  
)  
) 21 U.S.C. § 841(a)(1) --  
) Distribution of Cocaine  
) Base

INDICTMENT

COUNT ONE: (21 U.S.C. 841(a)(1) -- Distribution of Cocaine  
Base)

The Grand Jury charges that:

On or about March 30, 2004, at Boston in the District of  
Massachusetts,

**CARLOS A. HOWELL,**

the defendant herein, did knowingly and intentionally possess  
with intent to distribute and distribute more than 5 grams of a  
mixture or substance containing a detectable amount of cocaine  
base, also known as "crack," a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections  
841(a)(1) and (b)(1)(B)(iii) and Title 18, United States Code,  
Section 2.

FORFEITURE ALLEGATION

(21 U.S.C. § 853)

The United States Attorney further charges that:

1. As a result of the offense alleged in Count One of this Indictment,

**CARLOS A. HOWELL,**

defendant herein, shall forfeit to the United States any and all property constituting, or derived from, any proceeds the defendant obtained, directly or indirectly, as a result of the offense, and any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offense.

2. If any of the properties described in paragraph 1, above, as a result of any act or omission of the defendant --

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property

described in paragraph 1.

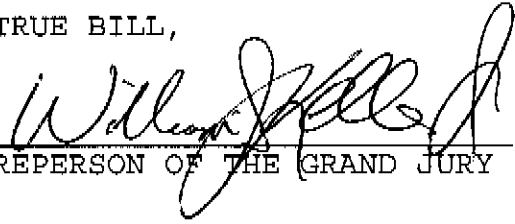
All in violation of Title 21, United States Code, Section 853.

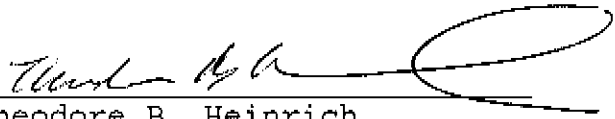
NOTICE OF ADDITIONAL FACTORS

The Grand Jury further finds that:

1. The offense charged in Count One involved at least 20 but less than 35 grams of cocaine base. Accordingly, USSG §2D1.1(c)(6) applies to this case.
2. The defendant was at least 18 years old at the time he committed the offense charged in Count One; the crime charged in Count One is a controlled substance offense; and the defendant has at least two prior felony convictions of either a crime of violence or a controlled substance offense. Accordingly, USSG § 4B1.1 applies to this case.

A TRUE BILL,


  
FOREPERSON OF THE GRAND JURY

  
Theodore B. Heinrich  
Assistant U.S. Attorney

DISTRICT OF MASSACHUSETTS

August 26, 2004

Returned into the District Court by the Grand Jurors and  
filed.

  
Deputy Clerk

8/26  
12:33  
ms

**Criminal Case Cover Sheet****U.S. District Court - District of Massachusetts**Place of Offense: \_\_\_\_\_ Category No. II Investigating Agency DEACity Boston**Related Case Information:**County Suffolk

Superseding Ind./ Inf. \_\_\_\_\_ Case No. \_\_\_\_\_

Same Defendant \_\_\_\_\_ New Defendant \_\_\_\_\_

Magistrate Judge Case Number \_\_\_\_\_

Search Warrant Case Number \_\_\_\_\_

R 20/R 40 from District of \_\_\_\_\_

**Defendant Information:**Defendant Name Carlos Howell Juvenile: ☐ Yes ☒ No

Alias Name \_\_\_\_\_

Address Woodruff Way, Boston, MassachusettsBirthdate: 1968 SS # 0985 Sex: Male Race: Black Nationality USA

Defense Counsel if known: \_\_\_\_\_ Address \_\_\_\_\_

Bar Number \_\_\_\_\_

**U.S. Attorney Information:**AUSA Theodore B. Heinrich Bar Number if applicable \_\_\_\_\_Interpreter: ☐ Yes ☒ No List language and/or dialect: \_\_\_\_\_Matter to be SEALED: ☒ Yes ☐ No☒ Warrant Requested☐ Regular Process☐ In Custody**Location Status:**

Arrest Date \_\_\_\_\_

Already in Federal Custody as of \_\_\_\_\_ in \_\_\_\_\_

☐ Already in State Custody at \_\_\_\_\_ ☐ Serving Sentence ☐ Awaiting Trial☐ On Pretrial Release: Ordered by: \_\_\_\_\_ on \_\_\_\_\_Charging Document: ☐ Complaint ☐ Information ☒ IndictmentTotal # of Counts: ☐ Petty \_\_\_\_\_ ☐ Misdemeanor \_\_\_\_\_ ☒ Felony 1

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: August 26, 2004

Signature of AUSA: \_\_\_\_\_

Theodore B. Heinrich

**District Court Case Number** (To be filled in by deputy clerk): \_\_\_\_\_**Name of Defendant** Carlos Howell

U.S.C. Citations		
<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1 <u>21 U.S.C. § 841(a)(1)</u>	<u>Distribution of Cocaine Base</u>	<u>1</u>
Set 2 _____	_____	_____
Set 3 _____	_____	_____
Set 4 _____	_____	_____
Set 5 _____	_____	_____
Set 6 _____	_____	_____
Set 7 _____	_____	_____
Set 8 _____	_____	_____
Set 9 _____	_____	_____
Set 10 _____	_____	_____
Set 11 _____	_____	_____
Set 12 _____	_____	_____
Set 13 _____	_____	_____
Set 14 _____	_____	_____
Set 15 _____	_____	_____

**ADDITIONAL INFORMATION:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_